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**SUBSTITUTE SENATE BILL 5239**

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**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Honeyford, Morton, Swecker, and Becker; by request of Superintendent of Public Instruction)

READ FIRST TIME 02/03/11.

1       AN ACT Relating to the allocation method used for the distribution  
2 of federal forest revenue to public schools; amending RCW 28A.520.020;  
3 and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       **Sec. 1.** RCW 28A.520.020 and 1991 sp.s. c 13 s 113 are each amended  
6 to read as follows:

7       (1) There shall be a fund known as the federal forest revolving  
8 account. The state treasurer, who shall be custodian of the revolving  
9 account, shall deposit into the revolving account the funds for each  
10 county received by the state in accordance with Title 16, section 500,  
11 United States Code. The state treasurer shall distribute these moneys  
12 to the counties according to the determined proportional area. The  
13 county legislative authority shall expend fifty percent of the money  
14 for the benefit of the public roads and other public purposes as  
15 authorized by federal statute or public schools of such county and not  
16 otherwise. Disbursements by the counties of the remaining fifty  
17 percent of the money shall be as authorized by the superintendent of  
18 public instruction, or the superintendent's designee, and shall occur  
19 in the manner provided in subsection (2) of this section.

1 (2) No later than thirty days following receipt of the funds from  
2 the federal government, the superintendent of public instruction shall  
3 apportion moneys distributed to counties for schools to public school  
4 districts in the respective counties in proportion to the number of  
5 resident full-time equivalent students enrolled in each public school  
6 district to the number of resident full-time equivalent students  
7 enrolled in public schools in the county. In apportioning these funds,  
8 the superintendent of public instruction shall utilize the October  
9 enrollment count.

10 (3) If the amount received by any public school district pursuant  
11 to subsection (2) of this section is less than the basic education  
12 allocation to which the district would otherwise be entitled, the  
13 superintendent of public instruction shall apportion to the district,  
14 in the manner provided by RCW 28A.510.250, an amount which shall be the  
15 difference between the amount received pursuant to subsection (2) of  
16 this section and the basic education allocation to which the district  
17 would otherwise be entitled.

18 (4) All federal forest funds shall be expended in accordance with  
19 the requirements of Title 16, section 500, United States Code, as now  
20 existing or hereafter amended.

21 (5) The superintendent of public instruction shall adopt rules no  
22 later than June 30, 2011, regarding the definition of resident for  
23 purposes of this chapter, and the rules shall consider and address the  
24 impact of alternative learning experience students on federal funds  
25 distribution.

26 NEW SECTION. Sec. 2. This act takes effect September 1, 2011.

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